

Planning Inspectorate
National Infrastructure Planning
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: XA/2025/100506/01-L01
Your ref: EN010162
Date: 16 January 2026

Dear Sir/Madam

**Great North Road Solar and Biodiversity Park: Development Consent Order:
The Examining Authority's written questions and requests for information**

We have reviewed the Examining Authority's (ExA) First Written Questions (dated 19 December 2025) and our comments are provided in the table appended to this letter.

Yours faithfully

Responses due by deadline 2: 16 January 2026

ExQ1	Question to:	Question:	Environment Agency Comment
1. General and cross-topic questions			
Q1.1.9	All parties	<p>Planning benefits</p> <p>The Planning Statement [APP-317] para 306 sets out that, other than policy compliance benefits, including meeting the urgent need for such infrastructure, the development would deliver other benefits that include:</p> <ul style="list-style-type: none"> • Renewable energy • Biodiversity net gain • Economic, educational and sustainability benefits • Enhanced landscape and public access legacy • Community Benefit Fund (NG+) <p>However, with regards to NG+, the applicant has confirmed [REP1-068] that NG+ measures are not part of the DCO proposals and are offered as an entirely separate community benefit.</p> <p>All parties are invited to comment on whether they agree that the proposed development would deliver such benefits.</p>	<p>We note that in 6.2.2 Environmental Statement Volume 2 – Chapters Chapter 2 – Environmental Impact Assessment - Rev 1 [APP-044] the projects proposed for community benefit involve flood alleviation measures. These measures would involve “ground-works, to attenuate flow of rainfall run-off particularly during and after heavy rainfall events”. These measures therefore fall under the remit of the Lead Local Flood Authority. We defer to their views on this matter.</p>
4. Biodiversity, ecology and the natural environment			
Q4.1.10	Natural England and interested parties	<p>Consideration of mitigation measures</p> <p>The ExA notes that the screening assessment is specified to consider project wide / design related mitigation measures only, rather than any specific mitigation for impacts to European sites (as required by the Sweetman judgement). Can you (or any other IPs) confirm that you are in agreement that specific mitigation has not been considered at the stage 1 screening [AS-020]?</p>	<p>We are not the competent Authority on Habitat Regulations Assessment. Therefore, please consider our comments on this matter as advisory.</p> <p>We do not believe specific mitigation for impacts to European sites have been considered in this document. However, we found the imbedded mitigation measures to be suitable for mitigating impacts to lamprey. Therefore we did not pursue this issue further in our Relevant Representation [RR-054].</p>
13. Water environment and flood risks			
Q13.1.1	Environment Agency	<p>Surface Water Runoff</p> <ol style="list-style-type: none"> Do you agree with the applicant's assessment of effects of the potential increase in surface water runoff from the solar panels as set out in section 9.6.2.5, Chapter 9 [APP-051] of the ES? Do you agree that the establishment of vegetation and grassland cover within the vicinity of the panels would lead to reduced surface runoff into surrounding watercourses? Could the presence of panels on slopes change the conclusions? Given the extent of local concerns raised on this issue, do you have any further comments? 	<p>a. We agree.</p> <p>b. We agree. As long as the vegetation has been allowed to establish beforehand, run off comparisons into nearby watercourses should not be markedly different, and could be reduced compared to baseline, considering that majority of previous land use is arable. We note that silt traps and buffer strips are proposed within the 6.4.5.3A Environmental Statement Volume 4, Technical Appendices - Technical Appendix A5.3 - Outline Construction Environmental Management Plan (Clean) - Rev 2 [REP1-030]. We therefore conclude that the water quality of any potential run off, is likely to be improved compared to that from arable fields at baseline.</p> <p>c. A study by Wang and Gao (2023) suggests that under high rainfall intensities, panels on slopes: <i>“may have the potential to retain soil organic matter in top soil layers and to improve soil structure (e.g., soil sealing control and soil aggregate protection), which may benefit to hillslope soil conservation and vegetation restoration in long term”</i>. They observed that runoff volume, peak flow discharge rate and overland flow velocity were not remarkably</p>

Responses due by deadline 2: 16 January 2026

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			<p>different between panel slopes and the control slope (without panel), and that panels reduced sediment flux compared to the control.</p> <p>d. We recommend good practice for sowing and maintenance of diverse grassland to ensure vegetation establishment success. Monitoring of runoff and early indicators of potential gully/erosion issues could be implemented as a precaution. However, the impact on watercourses and their Water Framework Directive (WFD) status is likely to be negligible.</p> <p>Reference:</p> <p>Wang, F. and Gao, J., 2023. How a photovoltaic panel impacts rainfall-runoff and soil erosion processes on slopes at the plot scale. <i>Journal of Hydrology</i>, 620, p.129522. https://doi.org/10.1016/j.jhydrol.2023.129522</p>
Q13.1.2	Environment Agency	<p>Flood Risk Assessment</p> <p>With regards to the flooding-related issues set out in your SoCG with the applicant [REP1-052], and your relevant representation [RR-054], EA007 to EA011 and EA025 to EA029:</p> <ol style="list-style-type: none"> Are there any aspects of the FRA undertaken by the applicant which you would consider to under-report the risk of flooding as a result of the proposed development, or the impacts and effects on flooding? Can you comment on if you consider the FRA undertaken to be compliant with planning policy (EN-1, EN-3, EN-5, NPPF and local planning policy)? 	<p>a) We are satisfied the applicant has mostly assessed the impacts of the development on flood risk accurately and used the most up to date and reliable data. Specifically, we are content with the hydraulic modelling that the applicant has used to assess flood risk to the proposed development. The detailed hydraulic modelling that the applicant has used for the River Trent, Car and Pingley Dyke, and River Greet is reasonable and applies the appropriate climate change allowances.</p> <p>We do have an outstanding concern regarding reference to the Climate Change Projection 1 (CCP1) dataset within the 6.4.9.1B Environmental Statement Volume 4, Technical Appendices - Technical Appendix A9.1 - Flood Risk Assessment and Outline Drainage Strategy (Clean) - Rev 3 [REP1-039] which we have sought further clarity from the applicant on (please see issue EA028 in our response letter to the applicant's comments on our relevant representation – XA/2025/100506/01-L01). The climate change allowances used in the CCP1 dataset are not suitable to use in the context of development which is classed as "Essential Infrastructure". We therefore require further clarity from the applicant on the implications of its use in areas outside of where detailed hydraulic modelling is available</p> <p>The applicant has located all infrastructure outside of areas of flood zones. However, we have one area of concern as highlighted in EA027 in our response letter to the applicant's comments on our relevant representation – XA/2025/100506/01-L01. The applicant has placed the battery energy storage system (BESS) within Flood zone 1, however we have concerns that the risk from ordinary watercourses within proximity of the infrastructure may not be fully mitigated for. We are currently working with the applicant to resolve this and feel this can be done within the examination period.</p> <p>b) We currently do not believe the development satisfies the exceptions test, due to the FRA's lack of consideration of flood risk from ordinary watercourses.</p>

Responses due by deadline 2: 16 January 2026

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			<p>Flood risk from all sources needs to be considered, not just main rivers. The BESS may be displacing floodplain storage, which may increase flood risk on-site and elsewhere.</p> <p>As the development isn't considering flood risk from ordinary watercourses, we believe the development is therefore not compliant with the following policies:</p> <ul style="list-style-type: none"> • Overarching National Policy Statement for Energy Infrastructure: <ul style="list-style-type: none"> ○ 5.8.6: "The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account." ○ 5.8.11: "Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that: <ul style="list-style-type: none"> ▪ The project would provide wider sustainability benefits to the community that outweigh flood risk; and ▪ The project will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall." ○ 5.8.12: "Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site." • National Planning Policy Framework: <ul style="list-style-type: none"> ○ 178: "The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that: <ul style="list-style-type: none"> ▪ the development would provide wider sustainability benefits to the community that outweigh the flood risk; and ▪ the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall." ○ 179: "Both elements of the exception test should be satisfied for development to be allocated or permitted."

Responses due by deadline 2: 16 January 2026

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			<p>In summary, we believe the development doesn't pass the exception test. Furthermore, it is not compliant with section 5.8.12 of the Overarching National Policy Statement for Energy Infrastructure, as it is unclear whether there is loss of fluvial floodplain associated with the BESS.</p> <p>Please note, we are not the decision-maker on the sequential test.</p>
Q13.1.6	The applicant and all Interested Parties	<p>Sustainable drainage system design:</p> <p>The ExA notes within the FRA [APP-228] that a specific sustainable drainage system strategy is not included for works 2 (as this is underground cables only), 3 (as this is for soft landscaping/ ecological enhancement only with no above ground infrastructure), 6 (as this is the existing National Grid substation), 7 (as this has not yet been constructed) or 8 (access improvements).</p> <p>a. To all IPs - Can you provide any concerns over the omissions of sustainable drainage system features from these works areas?</p> <p>b. To the applicant - On the basis that the applicant proposes to utilise the existing sustainable drainage system features in work area 6, or future in work area 7, can the applicant confirm how the design of these sustainable drainage system features has considered the proposed development, and how the proposed development will integrate with these?</p>	<p>We do not believe a drainage strategy is necessary for works no.2 and no.3.</p> <p>We note that work no.6 involves modification works to the existing National Grid Staythorpe Substation. We note the works associated with no.6 in 6.2.5 Environmental Statement Volume 2 – Chapters Chapter 5 – Development Description - Rev 1 [APP-048]. As the substation may be at risk of a fire event, we would be concerned aspects of the modification works may not be designed with sufficient mitigations for preventing surface water contamination.</p> <p>Where aspects of these works create development that requires surface water drainage features, the Applicant needs to outline design mitigation measures to prevent contaminants from substation plant entering the water environment. We would expect mitigation measures to include:</p> <ul style="list-style-type: none"> • Provide impermeable lining and a sealed drainage system • Sealed drainage should have the option of being closed via an automatic penstock valve • Ensure equipment and oils storage associated with the substation is located on impermeable lining <p>Additional equipment mitigation measures for the substation include:</p> <ul style="list-style-type: none"> • Secondary containment systems (such as bunding and double-skinned tanks) • Install leak detection and level monitoring systems, and bund water management • Use oil interceptors in the drainage system • Consider using a dry-type transformer <p>These mitigations would prevent substation plant containing hazardous chemicals, such as oil transformers, from releasing contamination to the surface water drainage system, from both spills and leaks during operation and reduces the risk of fire events. Therefore, if these measures are implemented, this should prevent any contaminants reaching groundwater or surface waters via runoff.</p> <p>For aspects of the substation which are already built out, we acknowledge that it would not be reasonable to expect the implementation of these measures.</p>

Responses due by deadline 2: 16 January 2026

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		<p>Regarding work no.7, we note that it is consented under a separate Town and Country Planning consent under planning reference 22/01840/FULM. Our area planning team responded to this consultation. They were also consulted on the discharge of condition for a surface water drainage scheme under reference 25/00412/DISCON; our team however, did not have sight of this consultation.</p> <p>The area team were not consulted on the discharge of condition for a construction environment management plan under reference 25/00186/DISCON. Whilst we recognize we weren't consulted on the discharge, we have checked the fire safety management plan and surface water drainage strategy, and are content that the correct mitigation measures are in place for containing fire water for work no.7.</p> <p>Regarding work no.5a (BESS), within our relevant representation [RR-054] we raised a number of concerns regarding mitigation measures to ensure the protection of water quality. Once these issues are resolved for work no.5a, and the pollution prevention and drainage details of work no.7 will need to be in alignment.</p> <p>Please note, we have other issues regarding water quality still outstanding in our relevant representation response:</p> <ul style="list-style-type: none"> • EA008 • EA009 • EA010 • EA016 • EA017